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IN THE UNITED STATES BANKRUPTCY COURT DISTRICT OF UTAH	
IN RE:  DAVID J. PETERSON NATALIE B. PETERSON,  Debtors.	Case No. 13-29440 JTM  Chapter 13  FILED ELECTRONICALLY
DEBTORS' OBJECTION TO CLAIM NO. 15 (eCAST SETTLEMENT CORP., ASSIGNEE OF CAPITAL ONE (POLARIS))	

**TO: ECAST SETTLEMENT CORP.**

The Debtors, DAVID J. PETERSON and NATALIE B. PETERSON, by and through their counsel of record, J. Grant Moody, DUVAL & MOODY, P.C., hereby object to the following claim:

**Objection to Claim No. 15**

**Claimant: eCast Settlement Corporation  
c/o Bass & Associates, P.C.  
3936 E. Ft. Lowell Road, Suite #200  
Tucson, AZ 85712**

The Debtors object to Claim No. 15 filed by Bass & Associates, P.C., on the basis that:

1. Claim No. 15 filed on November 21, 2013, asserts a claim against the Debtors, David J. Peterson and Natalie B. Peterson, for goods sold, as of the time case filed, in the amount of \$9,065.79, which includes a secured claim pertaining to a 2007 Polaris snowmobile, which secured claim the Debtors are objecting to.
2. On May 4, 2010, the creditor agreed to release the title to the 2007 Polaris snowmobile to the Debtors for the sum of \$500.00. On May 4, 2010, the Debtors sent a check to Bass & Associates to

release the title on the 2007 Polaris snowmobile and in return, HSBC Bank Nevada, N.A. sent back the original Title along with a Notice of Lien Release letter to release the secured portion of their claim. The letter also indicated that there could be a remaining balance on their account. A copy of the Notice of Lien Release letter is attached hereto as Exhibit "A".

3. The Debtors have no objection to the creditor filing an unsecured claim in this matter after giving credit for the \$500 payment for the release of the title to the 2007 Polaris Snowmobile.

WHEREFORE, the Debtors pray the Court disallow Claim No. 15 to the extent of any security interest, and that the creditor be allowed to amend the claim to provide for any unsecured remaining balance owed by the Debtors

DATED this 26<sup>th</sup> day of November, 2013.

DUVAL & MOODY, P.C.

/s/ J. Grant Moody  
J. Grant Moody  
Attorney for Debtors

MAILING CERTIFICATE

The undersigned hereby certifies that on November 26, 2013, a true and correct copy of the foregoing Objection to Claim No. 15 was sent by U.S. Mail, first class, postage-prepaid, or by electronic notification to the following:

Office of the U.S. Trustee  
Ken Garff Bldg.  
405 South Main Street  
Suite 300  
Salt Lake City, UT 84111

By Electronic Notification

Kevin R. Anderson  
Chapter 13 Trustee  
405 S. Main Street, Suite 600  
Salt Lake City, UT 84111

By Electronic Notification

eCast Settlement Corporation  
c/o Bass & Associates, P.C.  
3936 E. Ft. Lowell, Suite 200  
Tucson, AZ 85712

David & Natalie Peterson  
144 E. Salem Canal Rd.  
Salem, UT 84653

/s/ J. Grant Moody  
J. Grant Moody

# EXHIBIT “A”



**NOTICE OF LIEN RELEASE**

HSBC Retail Services  
700 N. Wood Dale Road  
Wood Dale, IL 60191

June 16, 2009

DAVID J PETERSON  
144 E SALEM CANAL RD  
SALEM UT 84653

Year: 2007  
Make: POLARIS  
Model: 1000  
VIN: SN1PM6FS47C718817

**ORIGINAL LEGAL DOCUMENT - DO NOT DESTROY**

To Whom It May Concern:

Thank you for using HSBC Bank Nevada, N.A. for your financial needs.

The lien on the vehicle/vessel described above is satisfied as of 6/16/2009. You may or may not have a balance remaining on your account. Please refer to your monthly billing statement.

This letter shall serve as verification of the lien being released. By presenting this letter to the appropriate Vehicle Division Office, you will be issued a title for the above referenced vehicle.

Again, we thank you for your business and hope that you will consider using HSBC Retail Services for any future financial needs.

If you have any questions or need additional information, please contact us at the number appearing on your billing statement.

Sincerely,

  
CLAUDIA CARRERA  
Service Analyst